



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB3507

Introduced 2/23/2005, by Rep. David Reis

SYNOPSIS AS INTRODUCED:

720 ILCS 570/411.3

Amends the Illinois Controlled Substances Act. Provides that the methamphetamine restitution shall also be made to cover regular and overtime costs incurred by local law enforcement agencies and private contractors paid by public agencies in securing the site in which the methamphetamine was manufactured. Provides that the restitution payments shall be disbursed equitably as follows: (1) first, to the local agencies involved in the emergency response; (2) second, to the State agencies involved in the emergency response; and (3) third, to the federal agencies involved in the emergency response.

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FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Controlled Substances Act is
5 amended by changing Section 411.3 as follows:

6 (720 ILCS 570/411.3)

7 Sec. 411.3. Methamphetamine restitution. If a person is
8 convicted of a violation of clause (6.5) or (6.6) of subsection
9 (a), subsection (c)(6.5), subsection (c-5), clause (d)(iii),
10 or subsection (d-5) of Section 401, and the offense involves
11 the manufacture of methamphetamine or the possession of a
12 methamphetamine manufacturing chemical as defined in paragraph
13 (z-1) of Section 102, and the manufacture of methamphetamine or
14 possession of one or more methamphetamine manufacturing
15 chemicals requires an emergency response, the person convicted
16 shall be required to make restitution to all public entities
17 involved in the emergency response, to cover the reasonable
18 cost of their participation in the emergency response, including but not limited to regular and overtime costs
19 incurred by local law enforcement agencies and private
20 contractors paid by the public agencies in securing the site.
21 The convicted person shall make this restitution in addition to
22 any other fine or penalty required by law. Any restitution
23 payments made under this Section shall be disbursed equitably
24 by the circuit clerk in the following order:

25 (1) first, to the local agencies involved in the emergency
26 response;

27 (2) second, to the State agencies involved in the emergency
28 response; and

29 (3) third, to the federal agencies involved in the
30 emergency response.

31 In this Section, "emergency response" includes, but is not
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1 limited to, collecting evidence, securing the site, and
2 cleaning up the site where the relevant offense or offenses
3 took place, whether these actions are performed by the public
4 entities themselves or by private contractors paid by the
5 public entities.

6 (Source: P.A. 93-297, eff. 1-1-04.)